

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

CRIMINAL MINUTES

Date: June 29, 2020 **Time:** 1:45-2:05 pm **Judge:** Edward J. Davila

Total Time: 20 Mins.

Case No.: [17-cr-00068-EJD-](#) **Case Name:** UNITED STATES v. Tomas Rivera(P)(C)(I)

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Attorney for Plaintiff: Stephen Meyer

Attorney for Defendant: Michael Whelan

Deputy Clerk: Adriana M. Kratzmann

Court Reporter: Irene Rodriguez

Interpreter: Lupita Arce(Spanish)

Probation Officer: Kyle Pollak

PROCEEDINGS – SENTENCING (In-Court Zoom Hybrid Webinar)

Defendant is present, in-custody and assisted by the Spanish interpreter. Hearing held.

The Court GRANTED variance.

Defendant is hereby committed to the custody of the Bureau of Prisons (BOP) to be imprisoned for a term of 324 months. This term consists of 324 months as to Ct. 1 of the Second Superseding Indictment (Dkt. 147 filed 8/16/2018) and 240 months on Ct. 2, and 120 months on Ct. 11, said term to be served concurrent to one another.

The Court imposed a 5-year term of supervised release. This term consists of 5 years on Ct. 1 and 3 years as to Cts. 2 and 11, said terms shall run concurrently to one another. The Court adopts the Probation Officer's recommendations for standard and special conditions (SEE JUDGMENT).

\$300 Special Assessment Fee imposed due immediately; Fine waived;

Defendant is remanded to the custody of the BOP;

The Court makes the following recommendation to the BOP: 1) The defendant be designated to a facility as close to Santa Cruz, California as possible where his family resides; and 2) Defendant participate in the RDAP program.

The Government orally requests that the Court dismiss the underlying open Counts in the previous Indictments. The Court ordered those Indictments and those counts dismissed as to this defendant.

The Court orders the defendant's interest in the forfeiture items be forfeited.

P/NP: Present, Not Present
C/NC: Custody, Not in Custody
I: Interpreter


Adriana M. Kratzmann
Courtroom Deputy
Original: Efiled
CC: